

Message

From: Robinson, Valois [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A4217A71307D4429B7BDC7C80EB40C7D-SHEA, VALOIS]
Sent: 8/10/2020 3:54:07 PM
To: David Ganje [davidganje@ganjelaw.com]
Subject: RE: Dewey Burdock project

Here you go! Talk to you soon.

Ex. 6 Personal Privacy (PP) States, Denver (Toll) 7#

Valois

Valois Robinson
EPA Region 8
Underground Injection Control Program
MailCode: 8WD-SDU
1595 Wynkoop Street
Denver, CO 80202-1129
(303) 312-6276
robinson.valois@epa.gov

From: David Ganje <davidganje@ganjelaw.com>
Sent: Monday, August 10, 2020 9:51 AM
To: Robinson, Valois <Robinson.Valois@epa.gov>
Subject: RE: Dewey Burdock project

I hate Microsoft calendar system

I cannot find the call in number you gave with the Microsoft 'invite'
Please advise

Thanks

David L Ganje
Ganje Law Offices
Web: lexenergy.net
605 385 0330
davidganje@ganjelaw.com

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From: Robinson, Valois <Robinson.Valois@epa.gov>
Sent: Thursday, August 6, 2020 2:14 PM
To: David Ganje <davidganje@ganjelaw.com>
Cc: Preite, Thane <tpreite@albanylaw.edu>
Subject: RE: Dewey Burdock project

The time should show up as time in your time zone. The call is 9:00 Mtn time. Are you Central time? It would be 10:00 central time.

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From: David Ganje <davidganje@ganjelaw.com>
Sent: Thursday, August 6, 2020 3:09 PM
To: Robinson, Valois <Robinson.Valois@epa.gov>
Cc: Preite, Thane <tpreite@albanylaw.edu>
Subject: RE: Dewey Burdock project

Ok

But the invite did not have the time zone, so I assume it is 8 am mtn time

I, and perhaps my honorable law clerk Thane, will call you folks at that time tomorrow.

. You can either call in on the phone number or click on the link to join the meeting.

Join Microsoft Teams Meeting

Ex. 6 Personal Privacy (PP) United States, Denver (Toll)

Ex. 6 Personal Privacy (PP)

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From: Robinson, Valois <Robinson.Valois@epa.gov>
Sent: Thursday, August 6, 2020 1:08 PM
To: David Ganje <davidganje@ganjelaw.com>
Subject: RE: Dewey Burdock project

Ok-Sounds good! I need to set up a conference call because our Safe Drinking Water Act attorney will also be on the call. I will send a meeting invitation.

Valois

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From: David Ganje <davidganje@ganjelaw.com>
Sent: Thursday, August 6, 2020 1:12 PM
To: Robinson, Valois <Robinson.Valois@epa.gov>
Subject: RE: Dewey Burdock project

You can call me at 9 a m Friday mtn time

Please try these numbers in this order to catch me:

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From: Robinson, Valois <Robinson.Valois@epa.gov>
Sent: Thursday, August 6, 2020 11:59 AM
To: David Ganje <davidganje@ganjelaw.com>
Cc: Preite, Thane <tpreite@albanylaw.edu>
Subject: RE: Dewey Burdock project

Would Friday morning at 9:00 work? I can send a Skype or Microsoft Teams invitation. Do you have a preference?

Valois

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From: David Ganje <davidganje@ganjelaw.com>
Sent: Wednesday, August 5, 2020 3:52 PM
To: Robinson, Valois <Robinson.Valois@epa.gov>
Cc: Preite, Thane <tpreite@albanylaw.edu>
Subject: RE: Dewey Burdock project

Hello again Valois

It has been some time since we talked.

I have a new question or two. Could you please call my cell at your earliest convenience.

Thanks

Ex. 6 Personal Privacy (PP)

David L Ganje
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From: Shea, Valois <Shea.Valois@epa.gov>
Sent: Tuesday, January 16, 2018 9:16 AM
To: David Ganje <davidganje@ganjelaw.com>
Subject: RE: Dewey Burdock project

Hi David,

The deep injection wells at all the other ISR sites in the US are all permitted by the state UIC programs. These wells occur in Wyoming, Nebraska and Texas, where the EPA has delegated the portion of the UIC program regulating Class I wells to the state. South Dakota does not have primacy for the portion of the UIC program regulating Class I (and Class III and V wells), so the EPA directly implements that program in South Dakota. That is why the EPA is issuing the draft permits for Dewey-Burdock.

The other part of your question about the permit limits relates to the UIC well class for these Dewey-Burdock deep disposal wells. Because the wells at the Dewey-Burdock site propose injection above the Madison aquifer, they are Class V wells under UIC regulations. Class V wells cannot inject radioactive or hazardous waste, so that is why those permit limits are included in the draft Class V permit. The wells at the other ISR sites are Class I wells. Class I regulations do not require that permit limits be set for constituents in Class I injectate.

If you are interested in reviewing the state requirements for these Class I wells, I have included the web site links for WY, NE and TX DEQs:

WY: <http://deq.wyoming.gov/wqd/underground-injection-control/resources/class-i/>

NE: <http://deq.ne.gov/NDEQProg.nsf/OnWeb/UIC> (doesn't really include any requirement info, just mentions the one Class I well at the Crow Butte ISR site.)

TX: https://www.tceq.texas.gov/permitting/waste_permits/uic_permits/UIC_Guidance_Class_1.html

The state requirements must meet the minimum requirements in the EPA UIC regs. Here is the EPA website providing info about Class I requirements:

<https://www.epa.gov/uic/requirements-all-class-i-wells-and-class-i-hazardous-waste-wells>

I hope this info is helpful!

Valois

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From: David Ganje [<mailto:davidganje@ganjelaw.com>]

Sent: Saturday, January 13, 2018 10:39 AM

To: Shea, Valois <Shea.Valois@epa.gov>

Subject: Dewey Burdock project

Hello again.

I read the EPA's draft Class V Area Permit for Dewey Burdock. You folks put a lot of work into the draft permit for sure.

I have a couple of questions. You have placed limits on the composition of waste injection material in the permit. I refer to this requirement: The injection of fluids with constituent concentrations above the hazardous waste or radioactive waste concentration limits is prohibited. The injectate shall meet the permit limits set in Part V, Section D.2.a, Table 16.

My questions are as follows. How many permits are presently outstanding in the US in which similar permit limits on constituent concentrations have been issued by the EPA for uranium mines? If there are no relevant

current permits outstanding, could you please provide me the number of any previously issued permits of this type?

If you do not have this information readily available, would you please consult with your agency and provide me the information? Thanks much for your cooperation.

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